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 CITY OF CLEARLAKE

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

SHERILL FOSTER, HOWARD FOSTER,
 SHEILA BURTON, and MINNIE BURTON,

Plaintiffs,

v.

SHANNON EDMONDS, LORI TYLER, COUNTY
 OF LAKE, CITY OF CLEARLAKE, and DOES 1-
 100,

Defendants.

Case No.: C-07-5445-EMC

[PROPOSED] ORDER
 GRANTING DEFENDANT CITY
 OF CLEARLAKE'S MOTION TO
 DISMISS PLAINTIFFS' FIRST
 AMENDED COMPLAINT
 (F.R.C.P. 12(b)(6)), OR IN THE
 ALTERNATIVE, MOTION FOR
 MORE DEFINITE STATEMENT
 (F.R.C.P. 12(e))

Date: May 21, 2008

Time: 10:30 a.m.

Courtroom: C, 15th Floor

Judge: Hon. Edward M.
 Chen

The motion of defendant CITY OF CLEARLAKE ("Defendant") to dismiss plaintiffs
 SHERILL FOSTER, HOWARD FOSTER, SHEILA BURTON and MINNIE BURTON's
 ("Plaintiffs") First Amended Complaint based on failure to state a claim under F.R.C.P. Rule 12(b)(6),
 or in the alternative, for a more definite statement pursuant to F.R.C.P. 12(e), came on for hearing on
 May 21, 2008, at 10:30 a.m., in Courtroom C of the above-entitled court before the Honorable Edward
 M. Chen.

The Court, having considered the papers and arguments submitted in support of and in
 opposition to the motion, and after oral argument, finds that Plaintiffs' First Amended Complaint, filed

1 on December 7, 2007, fails to state any claim against Defendant for which relief can be granted.

2 The Court therefore ORDERS that all claims against the CITY OF CLEARLAKE be dismissed
3 with prejudice in their entirety.

4 IT IS SO ORDERED.

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6 Dated: _____

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HON. EDWARD M. CHEN
U.S. MAGISTRATE JUDGE
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